

REMARKS

The undersigned thanks Examiner Resan for a careful examination of the application. Applicants affirm the election as stated in the Action.

Attached is a substitute specification in which trademarks such as ZTETROL have been capitalized. Also, please note that the generic terminology of the marks used in the specification are shown in paragraph [0031].

Claims 15 and 16 were rejected under 35 USC 112, second paragraph. This rejection is respectfully traversed and should be withdrawn in light of this Amendment.

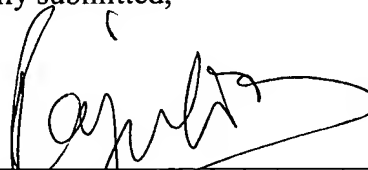
Claims 11 and 15 were rejected as being anticipated by Nakakawaji. Claims 11, 13-19 were rejected as being obvious over Ng in view of Yanagisawa in view of Falcone. These rejections are respectfully traversed and should be withdrawn because claim 11 now includes the limitation of claim 12, which was not rejected over the prior art.

Claims 11-19 were rejected for obviousness-type double patenting over claims 1-20 of U.S. Pat. No. 6,673,429; claims 1-18 of U.S. Pat. No. 6,686,019; and claims 1-5 of U.S. Pat. No. 6,753,060 individually or collectively. This rejection is respectfully traversed and should be withdrawn in light of the attached terminal disclaimer.

In the event that the transmittal letter is separated from this request and the Patent and Trademark Office determines that a fee is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 146712004700.

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Respectfully submitted,

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